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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/104,297	06/24/98	HUMPLEMAN	R 2810-044

EXAMINER

TM02/0418

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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/104,297	Applicant(s) Humpleman et al.
	Examiner William L. Bashore	Group Art Unit 2176

☒ Responsive to communication(s) filed on *Feb 8, 2001* .

☒ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1-8* is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-8* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____ .

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____ .

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

1. This action is responsive to communications: CPA filed on 2/8/2001 to the original application filed on 6/24/1998, with acknowledged provisional application filing dates of 9/22/1997, and 6/25/1997.

2. Claims 1-4, 6, 8 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Corcoran and Venkatraman.

3. Claims 5, 7 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Corcoran, Venkatraman, and Reber.

5. Claims 1-8 are pending in this case. Claim 1 is an independent claim.

Continued Prosecution Application

6. The request filed on 2/8/2001 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/104,297 is acceptable and a CPA has been established. An action on the CPA follows.

Drawings

7. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 103

8. **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. **Claims 1-4, 6, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corcoran, P.M. and Desbonnet, J., Browser-style interfaces to a home automation network (hereinafter Corcoran), Consumer Electronics - IEEE, June 11-13, 1997, pp.1063-1069, in view of Venkatraman et al (hereinafter Venkatraman), U.S. Patent No. 5,956,487 issued September 1999.**

In regard to independent claim 1, Corcoran teaches a browser displaying a list of network devices registered in a local database (see Corcoran p.1065 section 3.3, Figure 3; compare with amended claim 1 "*generating a device link file, wherein the device link file identifies home devices that are currently connected to the home network*").

Corcoran also teaches a Network Browser displaying four graphical buttons representing four devices from said list (see Corcoran p.1065 Figure 3; compare with amended claim 1 "*creating a device link page*" and "*wherein the device link page contains a device button that is associated with each home device that is identified in the device link file*").

Corcoran does not specifically teach a list of network devices contained within a local network. However, Venkatraman teaches a self contained home network comprising inter-communication links and a web browser enabling communication with a set of devices (see Venkatraman column 5 lines 29-40, 46-51, Figure 2; compare with amended claim 1 "*...from at least the local network...*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Venkatraman to Corcoran, because of the advantages of a self-contained home network that Venkatraman provides.

Corcoran also teaches a method whereby a Network Browser displayed onto a screen displays four graphical buttons representing four devices from said list, and as each device is accessed, a user interface is loaded as a HiPlet from an HTTP-style URL (see Corcoran p.1065 section 3.3; compare with amended claim

1 "*associating a hyper-text link with each device button....that is associated with the device button*"). Corcoran does not specifically teach a method of using a hypertext link (from said button), providing a link to an HTML page. However, it would have been obvious to one of ordinary skill in the art a the time of the invention to modify Corcoran to incorporate this limitation, because Corcoran suggests the use of HTML by disclosing the use of HTTP, URL's, and the name "Network Browser", which are examples of objects and methods that are commonly used in conjunction with HTML and hypertext linking, therefore providing increased adaptability to the method as taught by Corcoran.

In addition, Corcoran teaches the display of device information on a network browser (see Corcoran p.1065 Figure 3; compare with amended claim 1 "*displaying the device link page on a browser based home device.*").

In regard to dependent claim 2, Corcoran teaches a method whereby light-switch GUI is displayed, said GUI indicating that said light-switch is active (see Corcoran p.1067 section 5.1; compare with claim 2 "*detecting that a home device is connected to the home network*").

In addition, Corcoran teaches an internal system architecture, whereby a home- interactive programlet (HiPlet) uses CEBus to route messages between various system devices (see Corcoran p.1065 section 3.2, Figure 2; compare with claim 2 "*associating a logical device name with the home device*").

In addition, Corcoran teaches the use of a CALNetd daemon to record the state of network devices in a local registry of devices (see Corcoran p.1065 section 3.2 paragraph 3; compare with claim 2 "*storing the logical device name in the device link file*").

In regard to dependent claim 3, Corcoran teaches the display of a list of network devices that are registered in a local database, said devices are shown and mapped to corresponding device buttons (see Corcoran p.1065 section 3.3, Figure 3; compare with claim 3).

In regard to dependent claim 4, Corcoran teaches the implementation of a light-switch GUI, whereby an icon (graphical image) of an LED representing the state of activation of a light bulb is created as part of a button, and is stored as part of the GUI interface (see Corcoran p.1067 Figure 5a; compare with claim 4).

In regard to dependent claim 6, Corcoran teaches a method whereby a Network Browser displayed onto a screen displays four graphical buttons representing four devices from a list of home devices, and as each device is accessed, a user interface is loaded as a HiPlet from an HTTP-style URL (see Corcoran p.1065 section 3.3, Figure 3). Corcoran does not specifically teach a method of receiving a URL from a home device. However, Venkatraman teaches a method whereby a home based network enables a web browser to access user interface functions via URL's, said URL's can be embedded within an appliance (see Venkatraman column 5 lines 29-42, column 8 lines 1-8; compare with claim 6). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the separate URL method of Venkatraman to the list and button GUI of Corcoran, because of Venkatraman's taught advantage of itemized information gathering, providing increased information selectivity to the method as taught by Corcoran.

In regard to dependent claim 8, Corcoran teaches a method whereby a Network Browser displayed onto a screen displays four graphical buttons representing four devices from a list of home devices, and as

each device is accessed, a user interface is loaded as a HiPlet from an HTTP-style URL (see Corcoran p.1065 section 3.3, Figure 3). Corcoran does not specifically teach a method of receiving a URL from a properties file located on a home device. However, Venkatraman teaches a method whereby web server queries a device, and in response, the targeted device transfers an HTML file that defines its device web page (see Venkatraman column 7 lines 37-46; compare with claim 8). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the remote file method of Venkatraman to the list and button GUI of Corcoran, because of Venkatraman's taught advantage of itemized information gathering, providing increased space efficiency to the method as taught by Corcoran.

10. **Claims 5, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corcoran and Venkatraman as applied to claim 1 above, and further in view of Reber et al. (hereinafter Reber), U.S. Patent No. 5,398,726 issued August 1999.**

In regard to dependent claim 5, Corcoran teaches a method whereby a Network Browser displayed onto a screen displays four graphical buttons representing four devices from a list of home devices, and as each device is accessed, a user interface is loaded as a HiPlet from an HTTP-style URL (see Corcoran p.1065 section 3.3, Figure 3). Corcoran does not specifically teach a method of receiving a device logo from a home device. However, Reber teaches a method of displaying a graphical logo relating to a device onto a browser screen (see Reber Figure 3; compare with claim 5). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the logo method of Reber to the list and button GUI of Corcoran, because of Reber's taught advantage of graphical logos, providing increased device recognizability to the method as taught by Corcoran.

In regard to dependent claim 7, Corcoran teaches the importance of manufacturers flexibility to change and adapt the user interface (see Corcoran p.1063 section 2.2 paragraph 2; compare with claim 7.

11. **Prior art made of record and not relied upon is considered pertinent to disclosure.**

Kikinis U.S. Patent No. 6,167,120 issued December 2000

Response to Arguments

12. Applicant has presented no arguments. Accordingly, no response by the Examiner is deemed necessary at the present time.

Conclusion

13. This is a CPA of applicant's earlier Application No. 09/104,297. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory

action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Bashore whose telephone number is **(703) 308-5807**. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on **(703) 308-5186**. The fax number to this art unit is **(703) 308-6606**.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is **(703) 305-3900**.

15. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

or:

(703) 305-9724 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

William L. Bashore
4/12/2001

HEATHER R. HERNDON
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